

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TOUSSAINT L'OUVERTURE MINETT, SR.,

Plaintiff,

v.

STEPHEN KRUTER,

Defendant.

OPINION AND ORDER

19-cv-135-bbc

Pro se plaintiff Toussaint Minett, Sr., who is currently incarcerated at the Dodge Correctional Institution, is proceeding on a claim that defendant Stephen Kruter violated his constitutional rights by aiming a flashlight into plaintiff's eyes at the Rock County jail, even though defendant knew that plaintiff had a serious eye condition, and refused to get plaintiff medical attention when he requested it. (I have amended the caption to reflect defendant's full name.) On January 6, 2020, defendant filed a motion for summary judgment. Dkt. #15. On January 29, plaintiff requested an extension of his deadline for responding to the motion, which the court granted. Dkt. ##22-23. Plaintiff had until March 20, 2020 to file his response to defendant's motions but he has failed to do so. His failure to respond suggests that he may have lost interest in pursuing his case and no longer intends to prosecute it. Therefore, I will give plaintiff one last opportunity to submit a substantive response to defendant's motion for summary judgment. If he fails to do so by the new deadline, I will dismiss this case with prejudice under Rule 41 of the Federal Rules of Civil Procedure for plaintiff's failure to prosecute.

ORDER

IT IS ORDERED that plaintiff Toussaint Minett, Sr. may have until April 3, 2020 to file a response to defendant's motion for summary judgment. If plaintiff does not respond by that date, I will dismiss this case with prejudice under Fed. R. Civ. P. 41 for plaintiff's failure to prosecute it.

Entered this 25th day of March, 2020.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge